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Transactions

of

The Chartered Surveyors' Institution

SESSION 1945–46.

AT THE ORDINARY GENERAL MEETING

Held at the Chartered Surveyors' Institution on Wednesday, 13th June, 1945.

Mr. E. B. GILLETT (President) in the Chair.

NEW MEMBERS.

The following new members were received by the President prior to the meeting and signed the Register :—

Professional Associates :

EDWARDS, THOMAS HAROLD KESTON, B.SC.
EVERITT, HILARY DEREK KIRK
HOCKLEY, DOUGLAS HENRY EDWIN
STRANG, WILLIAM PARK
WEIR, ALFRED ROBERT

A DISCUSSION took place on the paper by Mr. HENRY W. WELLS (Fellow), F.A.I., Chief Estate Officer to the Ministry of Town and Country Planning, on

WAR DAMAGE RECONSTRUCTION

UNDER THE TOWN AND COUNTRY PLANNING ACT, 1944.*

The PRESIDENT, in introducing the lecturer, said that they welcomed Mr. Wells not only as a Fellow of the Institution but as the Chief Estate Officer to the Ministry of Town and Country Planning, that new Department whose activities were so much bound up with their work in the immediate future. Mr. Wells was the son of a very distinguished father, Sir William Wells, one of the outstanding surveyors of his time.

*The paper appeared in the *Transactions* in the June issue of the *Journal*.

Mr. WELLS, in introducing his paper, said that as his address had already been published in the June *Journal*, he would begin by making some general remarks. He had been fortunate so far as the Act was concerned as in a sense he was in a privileged position. He had watched the birth of the Act and had seen at close quarters the trouble it had had during its delivery. It was a very important Act in that it showed them the way, more than any other Act, in which town planning was proceeding. It enabled local authorities to acquire large areas of land and to hold them in perpetuity. They could administer them and use the leasehold system as a means of controlling planning and development in perpetuity. The Act provided, so far as their profession was concerned, a new field in which surveyors could give their services in return for suitable fees !

It was the policy of the Minister of Town and Country Planning to encourage local authorities to acquire and hold the whole of the areas which complied with the formulæ laid down in the Act, and not to exclude " awkward " islands of freehold property. Those surveyors who were in private practice and were managing private estates knew what he meant when he used the word " awkward," and how difficult it was if there was an individual freehold in the middle of an estate. Behind it all was the conception of the corporate municipal estate, and the proper management of that estate was likely to become one of the most important functions of local government in the future. Special departments within the local authority machine would be needed to see that those estates were properly administered.

He was asked a number of questions as he journeyed about the country seeing local authorities who were trying to find their way through the Act. He had selected one or two of the most important questions which he would deal with now as he had not dealt with them in his paper. The question most frequently asked was what constituted " an area of extensive war damage " ? In the end that was a matter for the discretion of the Minister, but there must be certain conditions present before the Minister could exercise his discretionary powers. In the first place, the local authority area must have suffered a considerable amount of war damage, i.e., an authority's area as a whole must have suffered some great physical loss as a result of destruction before " an area of extensive war damage " could be defined. Secondly, the part of the local authority area which was under consideration for designation under Section I of the Act must have received some war damage, although the Act did not say that that particular area need be extensively war damaged.

Thirdly, the area must require laying out afresh and developing as a whole. With regard to that point, it did not apply only to road lay-out as some people thought, nor was it limited to road lay-out and the re-location of sites. It might include properties physically untouched by the reconstruction. The test was not applied to individual buildings ; the test as to whether an area required laying out afresh applied to the whole of that area. One could not pick out individual buildings from an area and say that they did not need laying out afresh.

The other main question which he had been asked was on the question of the various time limits in the Act. There was a time limit on the 1939 standard—five years from the passing of the Act. Further a local authority had to make an application for a Declaratory Order under Section 1 within

five years from a date (not yet appointed). This was a limiting date, not a starting date. There was also a sort of time limit on the operation of a Declaratory Order made under Section I, which was five years from the date to be appointed. If a local authority had not exercised its right to acquire land in an area subject to a Declaratory Order, the owner could ask the local authority either to buy or relinquish the right so to do at the end of five years from the appointed date. In the case of premises which were not war-damaged or where the damage had been repaired, the Minister might modify the owner's right.

The next time limit was that on the authorisation by the Minister to purchase under Section 2 (2) of the Act, the clause under which the local authority could buy by the quickest possible procedure but which could only be operated in certain circumstances. Authorisation to purchase under that section must be effected within three years of the appointed date. There was also a three years' time limit on the operation of a compulsory purchase order itself, once it had been approved by the Minister. There were other time limits with which he had dealt in the paper.

He wished to make one general comment remembering that the Act was and had been described in Parliament as the first instalment of further legislation on the question of the control of the use of land. It was absolutely essential that a professional body should be purely objective in the advice offered to the Government on such matters as the control of land use. If a Government Department—and he had seen that during the 2½ years in which he had been a Civil Servant—felt that any professional body was, for example, backing the sectional interests of the local authorities or the private land-owners, it would discount that body's views to a very great extent. In the Department to which he was attached it was recognised that none could offer greater service in the solution of the problems raised by the Uthwatt Report and the White Paper on Land Use than the surveyors' profession. But their advice must be purely objective ; otherwise it would be considerably discounted.

Mr. S. Vyvyan Hicks (Vice-President) in proposing a warm vote of thanks to the author, also paid tribute to the author's father, the late Sir William Wells. They welcomed the author because they felt they were receiving an offer of help from an official quarter. The paper dealt with a subject which is more important to surveyors as a whole than any other subject under discussion to-day. He said that with all due deference to his agricultural friends.

The first consideration to-day was speed in decision. A great bar to this was the extraordinary form in which legislation was issued. He could not do better than quote the remarks of that eminent lawyer, Sir William Jowitt, when he addressed the Institution on the proposed control of land use. "It is much easier to call attention to the evil—and anyone who reads the Bill will see that the evil exists—than to suggest a remedy : the important result of all this is that more and more the ordinary man is unable to understand what the law provides and we might as well be back in the old days when the Statutes were written in Norman French, which was not the language of the people." That was appreciated by the officials just as much as it was by the legal and the surveyor's professions. There was a rather startling example in the Housing (Temporary Accommodation) Act, 1944. In that

Act there was no reference to the 1939 price in the acquisition compensation under Section 6 (4). Yet the Act was passed on 10th October, 1944, and there must then have existed considerable knowledge of the Town and Country Planning Act which was published only five weeks later.

What was the position to-day ? Notices were served under the Housing (Temporary Accommodation) Act to enable an authority to get possession. They were then quite uncertain as to the procedure to adopt. Only that morning he had received a notice to treat from a borough council which illustrated the point. The heading on the notice referred to the Land Clauses Acts (except Sections 84, etc.), the Acquisition of Land (Assessment of Compensation) Act, 1919 (except Section 5 (2)), the Housing Acts, 1936 to 1944, the Town and Country Planning Act, 1944, and the Whitehall Street Authorisation Group of the Minister of Health, dated 21st March, 1945. It was the uncertainty of the present legislation which was definitely a bar to progress.

This was a subject on which all sides had got to get together. It could not be looked at from any Party view, and the more co-operation there was, the better for all concerned. Was that co-operation forthcoming ? The author had said that any professional body, in expressing its views, should be entirely unbiassed, and he was quite certain that he would be the first to admit that anything which came from the Institution was looked at from the point of view of the greatest good for the greatest number. The Institution must definitely be unbiassed and entirely non-Party.

He would like to draw attention to what he considered some of the defects in the new Act in the hope that there might occur a chance of remedying some of them.

The author had referred to co-operation. He believed it was the intention and desire both in official minds and elsewhere to obtain co-operation, but he saw no evidence of it in practice. There was a very good example in the case of the City Plan, which was published in the greatest secrecy and was still unobtainable. So far as they could trace no attempt had been made at co-operation with the big interests in the City, and he knew of one big body which had offered to help and was politely turned down. What had been the result—a plan which showed very little more than minor street widenings, no real reconstruction and no broad thinking on the re-development of many areas which were shrieking for it. Under the 1932 Act, insistence was laid on co-operation but in just the same way town planning schemes were prepared with the greatest secrecy. He had acted both for and against local authorities and many times he had stressed the need to let the owners concerned know that a plan existed in draft.

He had taken the question up with the Ministry at the time and had been told it was impossible to circularise all owners. He maintained that where a particular area was the subject of a town planning proposal it would be the simplest thing in the world to put a rubber stamp on every rate demand note stating that a plan was under consideration for that area and that details could be supplied at the town hall. If the authority could get the plan more or less agreed in advance they would be able to deal with the position much more easily and it was less likely to be confused.

The reconstruction proposals under the Town and Country Planning

Act, 1944, would never receive statutory approval. That was understandable. The broad outline of the scheme must be approved, but it must in part be flexible. They would note, in Appendix I, that if an owner wanted notification of what was happening he had to give notice when the Declaratory Order was made. They would see that he had to make that request again at the compulsory purchase order stage. Two applications had to be made when surely one should be sufficient. The danger to owners and surveyors in private practice was obvious since they could not be expected to read every local paper to watch town planning notices. It was impossible, and consequently he had always stressed that owners should be notified. If an area was to be acquired the authority must know in due course the names of all interested parties, and if that information had to be discovered for the purposes of compensation it could just as well be discovered in the first instance so that owners could be notified of the proposals. The information was, of course, already in the hands of the War Damage Commission in the case of war-damaged properties.

The author had referred to his paper on "Planning by Lease Control." On the question of the granting of leases by local authorities, the author stressed the wisdom of keeping the ground rent down and, if necessary, of taking a premium, urging what had happened in Regent Street some years ago as an example of what should *not* be done. The author also said in his previous paper, in support of the leasehold system, that Section 84 of the Law of Property Act, 1925, gave certain relief in regard to restrictive covenants. He thought he had told only half the story, because that dealt with leases for not less than 70 years, of which not less than 50 years must have expired at the date when the application was made.

The one item which he wished to attack was the fact that disposal after the acquisition could only be by lease except in certain cases, such as universities, churches, and so forth. In the past the leasehold system had been attacked as something quite undesirable but now it was thought, apparently, to be the only proper solution. He was doubtful whether local authorities as a whole desired to hold considerable areas of land apart from their municipal offices and open spaces. Did they really want to become owners of blocks of flats, shop property, and so on? He asked because his experience had been that, on the question of temporary housing, the bulk of authorities preferred leasing rather than purchasing outright. Under the Housing (Temporary Accommodation) Act, 1944, they could not lease except by agreement nor could they erect permanent houses on land acquired under that Act.

A further difficulty was that if land generally had to revert to the leasehold system the position of trustees might become very difficult, particularly towards the end of the leases. There was another objection to local authorities owning large areas. Surely some alterations would have to be made in the rating system if local authorities were to decide the rateable values and the rates. They would be open to attack if it were suggested that they were getting favourable treatment in comparison with other owners. He did not suggest that that would be the policy of any local authority but local authorities were, he thought, open to that accusation.

He had given much thought to what was likely to happen to many of the sites in the City. He had heard the City engineer state that it was not the intention to acquire vast areas of land if the owners would get together and put up a comprehensive scheme. That seemed to him desirable. He thought they would find in the City and elsewhere a new type of land ownership which he would describe as "land share ownership." Much of the difficulty in the past had arisen through the ownership of the greater part of a site being in the hands of one or two owners with a number of minor interests involved which precluded a comprehensive re-development. The small man had tended, in the past, to try to obtain a price per square foot considerably in excess of the value per square foot of the larger site. He believed a solution lay in dealing with the whole site as a single unit. If they took a large area of land and said that each owner should have one share per square foot they would get the equality they desired. He believed that such a system would be fair both to the large and the small owner.

Regarding the new compensation code, he would like to refer to the fact that under Section 57 the prices were those current at 31st March, 1939. Quoting the Seventh Schedule to the Act, the speaker said it seemed that the acquiring authority was to have the best of two worlds. The main section distinctly stated that the prices were to be with reference to those current at 31st March, 1939. A large number of properties had been let since that date and many had been let since the outbreak

of war. He quite understood that if the purpose of the Schedule was to eliminate the reference to high rents for premises which, before the war, were white elephants but which had since commanded high rents because they could be used for storage or other purposes in safe areas, it was obviously unfair to take those rents into consideration. It was equally unfair to take into account the very low rents at which many premises had been let since the outbreak of hostilities. There were many cases in which rents temporarily bore no relation to 1939 prices.

He would conclude by a quotation from the author's previous paper on " Planning by Lease Control " in which, under the heading of " Bureaucracy " he stated : " There is one great danger in municipal land ownership on a large scale and it is summarised in the word ' bureaucracy.' The system will not be a success if the local authorities attempt to control their estates by regulations and rules too rigidly applied. The relationship between the local authority as lessor and the developer or his successor in title as lessee should be that of partners in a joint undertaking. The relationship is much closer than that of interim development authority and developer. It should therefore be a more human and understanding relationship. The authority should make every effort to avoid quibbling over unimportant legal technicalities. Appeals for small concessions should be listened to, and, if really justified, allowed. An authority who has a good name as a good landlord will bring prosperity to their area, but an authority who is a bureaucratic landlord will drive away prosperity." He was sure they all hoped those words would be borne in mind.

He moved a hearty vote of thanks to the author for his interesting paper and for giving the Institution an opportunity of discussing a subject near to the hearts of all of them.

Mr. C. H. WALKER, O.B.E., M.C. (Fellow), M.INST.M. & CY.E., L.R.I.B.A., Valuer to the London County Council, in seconding the vote of thanks, said that time was the essence of the contract in regard to reconstruction. The community had decided that something positive had to be done in regard to reconstruction, and the carrying out of that excellent Act was something in which they, as loyal servants of the community, were bound to adopt definite, positive ideas in order that the time lag should be reduced to the minimum.

There was a great deal of new legislation already passed and also under consideration. It was their duty to examine that legislation with a liberal mind and to apply their talents to finding a solution. The Act showed a courageous spirit and it would require courage, perseverance and a forthright attitude from all, whether local authorities or surveyors in private practice, to put it into operation. There was a great deal which was of value in it.

Mention had been made of the conflict between freehold and leasehold. He would not join in that discussion except to suggest that constructive thought should be given to periods of lease other than 99 years. The question of management was one which would require very serious thought and it was one in which the Institution could give constructive assistance. Local authorities would need all the help they could get if the community were to derive full benefits from the Act.

He agreed with the proposer as to the necessity for collaboration between all parties concerned. In seconding the vote of thanks he wished to express his appreciation to the author for the contents of a paper which set out the salient features of the Act in a most lucid manner and which he personally would find most useful.

Mr. D. I. SAUNDERS (Fellow) (Borough Estate Agent, Swansea), supported the author in stressing the need for consultation with representative bodies of citizens. He regretted to hear Mr. Hicks complain, in these enlightened days, of a lack of co-operation between local authorities and their citizens. In Swansea he thought they could claim that there was not a single representative body which had not had the opportunity of discussing the town plan in its various stages. Now that they were reaching the point when the final plan would be submitted, they had removed many misconceptions and many of the strongly held objections. The officials of his Corporation had welcomed the opinions of all concerned in thrashing out the very best plan in the interests of everyone.

The flexibility of the scheme was a great advance on the 1932 Act.

Schemes should be flexible and authorities should not be put to the enormous trouble which they had to go through to-day if they altered a scheme.

The financial clauses of the Act seemed to fix a VE-day from 12 to 15 years ahead of the completion of the scheme. He thought the possibility of fixing a definite date for most schemes was remote. Many demolitions would be necessary and he could not see the Minister permitting housing demolitions while the housing problem was so acute ; nor could he see local authorities agreeing to the demolition of business premises until there was alternative accommodation. Then there was the shortage of labour and materials. Priority would undoubtedly be given to housing, but special priority should be given in labour and materials to the areas which were harder hit. Such towns had already suffered from a lack of trading facilities and many of them were dependent on facilities in other areas. Unless they proceeded quickly with the schemes they would find that the habit of shopping in neighbouring areas would become established.

Most authorities would probably wish to proceed under Section 2 (1). If an inquiry had to be held he hoped one job would be made of it. Officials of local authorities knew full well the work those inquiries involved and anything which could be done to limit that work should be adopted. He was pleased to see the author's reference to the atmosphere of inquiries. He had attended a great number of them in the past 40 years and he agreed that there was too much of a legal atmosphere about them. The purpose of a local inquiry was to ensure that a scheme was the best for the community.

On the question of disposals, Mr. Hicks had voiced the objections which would be held in many parts of the country to the leasehold system. In his part of the country there would be little difficulty ; they were used to it. His authority was a large land-owning one and for 50 years had consistently refused to deal with land except on a leasehold basis, except in the case of statutory authorities or government departments. He did not know what the government departments would do. If they wanted sites for Post Offices or telephone exchanges, would they accept the medicine which the Minister was administering through the local authorities ? He saw no reason why they should not.

In reference to disposals the author had referred to the setting up of technical departments. He thought that absolutely necessary. There were a few up and down the country. His Council saw the necessity, over 40 years ago, of setting up such a department. He thought it was an excellent opportunity for the Council of the Institution to offer their assistance to local authorities and thus ensure that the departments were set up on the right lines, and manned by the proper personnel.

As an official of a badly "blitzed" town and one which was in course of preparing a re-development plan he wished to express his thanks to the author for the great assistance he had rendered to the "blitzed" towns. His advice and guidance had been invaluable.

Mr. Ronald Collier (Fellow) felt that the Town and Country Planning Act was very actively related to the City of London which, after all, was, he supposed, the most badly "blitzed" area. Of the 450 acres of built-up areas in London, 165 acres had been lost, and if the author could do anything to expedite the work of the City Corporation in making some decisions which would be a guide to the future, everyone would be thankful. As he saw the position, the new buildings to be erected would take up less space—only 80 out of the 165 acres which were built on before the war—and there would be a great risk of a surfeit of land in the City. They must know very soon whether the City Corporation and the authorities in other similar areas were going to purchase areas as a whole, or whether owners would have to adopt Mr. Hicks' suggestion and get together.

In his opinion re-development would be impossible without a quick decision on the matter. He had tried, on behalf of some clients, to consolidate three-quarters of an acre of land in the City. There were 34 owners, five or six of whom were in the provinces. The task became almost hopeless. He thought they would be faced with untold difficulties unless the City and other authorities acquired the whole of the war-damaged areas.

There was one point which he thought might have been overlooked on the compensation clauses. In his view any property which was technically a non-total loss under the War Damage Act, by which he meant that it might have been totally destroyed but was entitled to a cost of works payment, would

attract the 30 per cent. supplement for owner-occupiers. He did not think that point had been noticed.

Could the author give them any guidance on the point raised by Mr. Hicks on the compensation clauses, i.e. whether in fact the Act covered all acquisitions over the period of five years? Having read the Act twice and speaking as a layman, he thought it would work out in the following way. Between 10 and 12 different types of acquisition were contemplated. There were areas of extensive war damage, overspill areas, areas which were badly laid out and so forth. Section 57 of the Act dealt with compensation, and as a layman he assumed that that section related to Sections 1–56, and that the compensation clauses only related to the specific types of acquisition referred to in the Act. He would like some guidance on that point because many people thought that under the terms of the Housing (Temporary Accommodation) Act the provisions of the Town and Country Planning Act did not apply.

Could the author, in his official capacity, manage to keep a special watch on paragraph 5 of the Town and Country Planning (General Interim Development) Order? Whereas on the one hand the Order gave the right for people to have their property rebuilt as before there were certain reservations. As far as he could see local authorities were starting immediately to reserve everything which had been "blitzed." He could not see that there was any right of appeal to the Minister.

Lastly, the Town and Country Planning Act brought great hardship where cost of works payments were turned into value payments. He knew of a case on the South coast where a local authority only proposed to acquire a small part of a property and immediately the cost of works payment was turned into a value payment. Could not building lines be used rather than compulsory acquisition so that the cost of works payment might not be lost?

Mr. K. E. B. Glenny (Fellow) said that the preamble to the Act stated that it was "an Act to make provision for the acquisition and development of land for planning purposes; for amending the law relating to town and country planning; *for assessing by reference to* 1939 *prices compensation payable in connection with the acquisition of land for public purposes . . . .*"

On the question of the 1939 price, in view of the fact that Part II of the Act was headed "Compensation in Connection with Acquisition of Land for Public Purposes," he thought it should be clear that the Housing (Temporary Accommodation) Act was governed by Part II of the Town and Country Planning Act.

Mr. Humphrey Ryde (Honorary Secretary) foresaw a struggle between the æsthetic and utility points of view. He supposed that Britons were past-masters at the art of compromise, and he appealed to surveyors to take a broad view of the negotiations which would fall to them to carry out.

He was sure Mr. Walker was right in stressing the need for speed, although as Mr. Saunders had said, there was a great deal to be done and it could not possibly begin yet. When the work did begin it would provide ample scope for every surveyor to put his whole strength into it with the object of getting the work carried out as soon as possible. He wished to thank the author very much for his paper; members were grateful to him for addressing them.

The President, in rising to put the vote of thanks, said any views he now expressed were his personal ones, and were not necessarily those of the Council of the Institution. As a London practitioner, with some experience of dealing with the reconstruction areas in the City, he wished to associate himself in many ways with Mr. Hicks' remarks—not by way of undue criticism of the City Corporation, but because he thought there had been some lack of imagination of the urgency of the problem. It was perfectly clear that in the task of reconstruction, housing must march with commerce. In order to finance all the social schemes certain industries would have to be rapidly placed on their feet.

During the last twelve months he had tried to go ahead with two schemes, one of them a rather large and important one. The other was smaller but concerned a firm whose name was well-known, and in both cases there was

an intense desire, without encroaching on other essential priorities, to make a start at the earliest possible moment. Although his clients and he had received encouragement and a certain amount of anticipation of the restoration of rateable values, he had not found that there was any realisation that, unless reinstatement went forward, a very serious state of affairs was bound to reveal itself in the City.

In connection with these two cases he was concerned to know the attitude of the Ministry and of the local authority in regard to the exercise of their powers. They awaited the designation of the areas which would be acquired. In the notice recently sent to his client that consideration of the rebuilding schemes put forward must be deferred, it was stated that the degree to which compulsory powers would be used would depend on the co-operation of the owners in the areas and their ability to reinstate or to re-develop. That was quite understandable. He was positive that the scheme, if carried through, would be of real benefit to the community, in that it would set a particular industry on its feet again. It would be absolutely impossible, in his opinion, for his clients to get the various owners, of whom there must be dozens, into line. They might be successful up to 80 per cent. but they were absolutely certain to be held up by one or more individuals. He suggested for the author's consideration as an individual, and possibly for transmission to higher authority, that in a case like that, if his clients had been able to secure 90 per cent. of what they required by voluntary agreement and the remaining 10 per cent. refused terms which were at least as generous as those offered to the 90 per cent., compulsory powers might be invoked.

On the question of disposal they might then have 90 per cent. freehold but in the heart of their scheme 10 per cent. leasehold. That was no good to them. It might be that if the corporation or the local authority remained the owners for 99 years that they could come to terms. It certainly would not worry him at that time but he thought that such a situation might spoil a good scheme and would probably complicate the finances. He hoped that that was not entirely a reactionary point of view.

The Ministry had all their sympathy in a very great and responsible task. He did not think he was disclosing any secrets by saying that the Ministry was setting up an advisory committee on which the Institution would be represented (see p. 19 of the *Journal*). That committee would start work shortly and it would review the extensively war damaged sites in various cities throughout England and Wales. In that way the Institution hoped to continue to help, but could government departments help surveyors in return ? Could those of them who, for the last 18 months, had gone round knocking at doors and ringing bells in the various departments be told which bell to ring first and whether it would ring ? They would like some idea as to whether the departments had got their own priority settled and whether someone would give the word Go and they would all move in proper rotation. From time to time they saw Ministerial announcements, but could the machinery begin to work a little faster ?

The vote of thanks was carried with acclamation.

Mr. WELLS, replying to some of the points raised, said the compensation clauses of the Town and Country Planning Acts applied to all compulsory acquisitions governed by the Acquisition of Land Act, 1919. Any acquisition by a public body, the compensation for which was governed by the Acquisition of Land Act, 1919, was now governed by that Act and the Town and Country Planning Act of 1944.

On the question of notification, in certain circumstances the Minister could direct the serving of notices on the owners, but the policy behind the Minister's decision was whether the scheme was a sufficiently large one for the people in the locality to know about it. If it were a question of buying the whole of the City of London or the central part of it, or buying large areas of the East End, the public would know so much about it that the service of notices would be unnecessary.

Mr Saunders had asked whether Government Departments would take leases. The Crown was as usual excepted from the terms of the Act. As to the problem of priorities it was primarily not a question of material but

of labour and of the direction of labour. That was a political issue and was not one which any one Government Department could decide.

The question raised by Mr. Collier on Article 5 of the General Interim Development Order was a most important matter. Under the terms of that Order the restoration of war damage was "permitted development," but under Article 5 a local authority could define an area and so control the restoration of war damage in the same way as it controlled any other interim development which was not permitted interim development. As to the right of appeal, there was no appeal on the designation of the area under Article 5, which had to be approved by the Minister, but an owner who was refused permission to restore war damage was entitled to the same rights of interim development appeal as anyone else. The restoration of war damage in that area was simply brought under interim development control. The Minister intended to administer it in such a way that it would safeguard expenditure on areas which the local authorities intended to acquire and re-develop in the immediate or very near future under the 1944 Act, the Housing Act or any other Act.

Reference had been made to the City of London but he thought it would be impolitic for him to say anything on that subject. He had noted what had been said, not necessarily in relation to the City of London, but in relation to the general policy behind the Act. The Minister's policy was to encourage local authorities to buy large areas without islands of freehold therein. When such an area had been bought the local authority would hold it as a freehold estate and dispose of it by lease. That was the Minister's general policy in regard to that Act.

He was pleased to hear Mr. Walker refer to boldness. Perhaps the Minister's policy was bold. He was convinced that the Act would not work unless it was operated boldly. That was the Minister's view and he was glad to see that it was the London County Council's view. Local authorities should remember that the Minister after hearing an inquiry could strike out land which was included in the application for a Declaratory Order, but he had no power, unless the owners agreed, to include land in the Declaratory Order ; most of the boldness in that respect must be on the part of the local authority. If the Act was used merely as an acquisition Act he did not think the centres of devastation would be properly reconstructed. That was very much a personal view but the policy of the Minister seemed to indicate that it was his view also.

The meeting then terminated.